

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE**

Tuesday , February 27, 2018 • 8:00 a.m. • 20 House Building

**Members Present:**

Rep. Michael K. McKell, Chair  
Rep. V. Lowry Snow, Vice Chair  
Rep. Kim F. Coleman  
Rep. Bruce R. Cutler  
Rep. Brian M. Greene  
Rep. Karianne Lisonbee  
Rep. Dixon M. Pitcher  
Rep. Susan Pulsipher

Rep. Mark A. Wheatley

**Members Absent:**

Rep. Ken Ivory  
Rep. Brian S. King  
Rep. Tim Quinn

**Staff Present:**

Mr. Joseph T. Wade, Policy Analyst  
Mr. Steve Benard, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair McKell called the meeting to order at 8:04 a.m.

**MOTION:** Rep. Pulsipher moved to approve the February 23, 2018, meeting minutes. The motion passed with a vote of 7 - 0 - 5 .

Yeas-7

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-0

Absent-5

Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. T. Quinn  
Rep. M. Wheatley

**1 . 1st Sub. H.B. 392 Search and Seizure Amendments (*Greene, B.*)**

Rep. Brian M. Greene explained the bill.

Vice Chair Snow assumed the chair.

Mr. Paul Cassell, University of Utah law professor, spoke against the bill.

Mr. Tom Ross, Bountiful City Police Chief, and representing Utah Chiefs of Police Association, spoke against the bill.

Mr. Jeff Gray, Search and Seizure Section Director, Utah Attorney General's Office, spoke against the bill.

**MOTION:** Rep. Pitcher moved to hold 1st Substitute H.B. 392. The motion passed with a vote of 6 - 3 - 3 .

Yeas-6

Rep. B. Cutler  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-3

Rep. K. Coleman  
Rep. B. Greene  
Rep. K. Lisonbee

Absent-3

Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn

Rep. M. Wheatley

**2 . H.B. 363 Firearms Amendments (*Greene, B.*)**

Rep. Brian M. Greene explained the bill with assistance from Alice Moffat, Bureau of Criminal Identification.

Ms. Alice Moffat, BCI, spoke to the bill.

**MOTION:** Rep. McKell moved to hold H.B. 363 and return the bill to the Rules Committee. The motion passed with a vote of 8 - 0 - 4 .

Yeas-8

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-0

Absent-4

Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

**3 . H.B. 398 Higher Education Student Speech Rights (*Coleman, K.*)**

Rep. Kim Coleman explained the bill with the assistance of Mr. Joe Cohn, Legislative and Policy Director, Foundation for Individual Rights in Education.

Ms. Frances Floresca, Generation of Opportunity and Americans for Prosperity, spoke in favor of the bill.

Mr. Geoff Landward, Board of Regents, Utah System of Higher Education, spoke to the bill.

**MOTION:** Rep. Greene moved to replace H.B. 398 with 1st Substitute H.B. 398. The motion passed with a vote of 6 - 1 - 5 .

Yeas-6

Rep. K. Coleman  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. D. Pitcher  
Rep. S. Pulsipher

Nays-1

Rep. B. Cutler

Absent-5

Rep. K. Ivory  
Rep. B. King  
Rep. M. McKell  
Rep. T. Quinn  
Rep. M. Wheatley

Rep. V. Snow

**MOTION:** Rep. Greene moved to report a favorable recommendation on 1st Substitute H.B. 398. The motion passed with a vote of 7 - 1 - 4 .

Yeas-7

Rep. K. Coleman  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-1

Rep. B. Cutler

Absent-4

Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

**4 . H.B. 402 Probate Code Amendments (*Miles, K.*)**

Rep. Kelly B. Miles explained the bill.

**MOTION:** Rep. McKell moved to report a favorable recommendation on H.B. 402. The motion passed with a vote of 7 - 0 - 5 .

Yeas-7

Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-0

Absent-5

Rep. K. Coleman  
Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

**MOTION:** Rep. McKell moved to place H.B. 402 on the Consent Calendar. The motion passed with a vote of 7 - 0 - 5 .

Yeas-7

Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher

Nays-0

Absent-5

Rep. K. Coleman  
Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

Rep. V. Snow

Chair McKell resumed the chair.

**5 . H.B. 427 Custody Amendments (Snow, V. L.)**

Rep. V. Lowry Snow explained the bill with the assistance of Ms. Ronni Adams, Director of Stop Abuse Campaign of Utah.

Ms. Dani Palmer, Utah Eagle Forum, spoke against the bill.

Mr. Christopher J. Martinez, Legal Aid Society, spoke in favor of the bill.

**MOTION:** Rep. Pitcher moved to report a favorable recommendation on H.B. 427.

**SUBSTITUTE** Rep. Lisonbee moved to hold H.B. 427. The Substitute motion passed with a vote of 8 - 0 - 4 .

**MOTION:**

Yeas-8

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-0

Absent-4

Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

**MOTION:** Rep. Coleman moved to adjourn. The motion passed with a vote of 8 - 0 - 4 .

Yeas-8

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. V. Snow

Nays-0

Absent-4

Rep. K. Ivory  
Rep. B. King  
Rep. T. Quinn  
Rep. M. Wheatley

Chair McKell adjourned the meeting at 10:00 a.m.